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7 *Attorneys for Plaintiff, Bank of America, N.A. as Successor by Merger to BAC Home Loans
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9 **UNITED STATES DISTRICT COURT
10 DISTRICT OF NEVADA**

11 BANK OF AMERICA, N.A., AS
12 SUCCESSOR BY MERGER TO BAC HOME
13 LOANS SERVICING, LP,

14 Plaintiff,

vs.

15 NORTH AMERICAN TITLE INSURANCE
16 COMPANY; DOE INDIVIDUALS I through
17 X; and ROE CORPORATIONS XI through
XX, inclusive,

18 Defendants.

Case No.: 2:21-cv-00313-JCM-NJK

**STIPULATION AND ORDER TO
19 STAY CASE**

(THIRD REQUEST)

20 Plaintiff, Bank of America, N.A. (“**BANA**”) and Defendant, North American Title
21 Insurance Company (“**NATIC**”) (collectively the “**Parties**”), by and through their respective
undersigned counsel, hereby stipulate and agree as follows.

22 This is one of many actions pending before the Nevada state and federal courts involving
23 a lender’s alleged entitlement to coverage under a title insurance policy following an HOA
24 foreclosure sale. BANA filed this action in Nevada’s Eighth Judicial District Court on February
25 23, 2021, and NATIC removed this case to this Court on February 24, 2021. ECF No. 1-1.
26 Thereafter, BANA and NATIC entered into global settlement negotiations to discuss the
27 resolution of approximately 100 similar title insurance claims. The Parties stipulated to stay this
28 case to achieve that purpose and on April 16, 2021, this Court entered its Order staying this case.

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ECF No. 9. Pursuant to this Court's stay Order, the Parties were to file a Joint Status Report in 90 days. *Id.* A Joint Status Report was filed on July 14, 2021, wherein the Parties requested an additional 60 days to pursue settlement. ECF No. 11. The Parties were advised to re-file the Joint Status Report as a Stipulation for Extension of Time. ECF No. 12. A Stipulation to Extend Time was filed on August 5, 2022, which was granted nunc pro tunc on September 21, 2021, and the Parties were ordered to file a notice of settlement, new status report or proposed scheduling order. ECF No. 14.

On October 7, 2021, the Parties submitted a Joint Status Report, as well as a Stipulation to Extend the Stay of Case to explore settlement. ECF Nos. 15 & 16. The Court granted the Stipulation to Extend Stay on October 13, 2021, requiring the Parties to file a joint status report every 90 days. ECF No. 17. Due to an inadvertent calendaring error, a joint status report was not filed on January 11, 2022 or April 11, 2022. On May 16, 2022, this Court entered its Order lifting the stay and for BANA to show cause by May 31, 2021 as to why this matter should not be dismissed with prejudice. ECF No. 18. A response to the Order to Show Cause was filed on May 31, 2022, in which BANA advised that the Parties were still in settlement negotiations and would submit a new stipulation to stay the case. ECF No. 19.

The Parties are attempting to resolve not only this case, but are seeking a global resolution of approximately 100 similar title insurance claims. BANA has submitted a settlement demand to NATIC and the Parties are currently discussing logistics for a mediation. Due to the complexity of the claims and number of loans and claims involved, the Parties need additional time for settlement. The Parties desire to continue good faith settlement negotiations and believe that this matter should be stayed to achieve that purpose.

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1 **NOW THEREFORE**, the Parties, by and through their undersigned counsel, hereby
2 stipulate and agree as follows:

- 3 1. The action shall be **STAYED**.
4 2. The Parties shall provide the District Court with a further, joint status update ninety
5 (90) days after entry of the order on this stipulation.
6 3. In the event this matter does not settle, the Parties will submit a proposed
7 scheduling order to the Court.

8 DATED this 13th day of June, 2022.

8 DATED this 13th day of June, 2022.

9 **WRIGHT, FINLAY & ZAK, LLP**

9 **SINCLAIR BRAUN LLP**

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16 *Attorneys for Defendant, North American
17 Title Insurance Company*

18 **IT IS SO ORDERED**

19 Dated: June 17, 2022

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21 UNITED STATES DISTRICT JUDGE